

PATENT
450108-02922**REMARKS**

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance. Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 13-16 are in the present application. It is submitted that these claims are patentably distinct over the prior art cited by the Examiner, and that these claims are in full compliance with the requirements of 35 U.S.C. § 112. The new claims, as presented herein, are not submitted for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these claims are submitted simply for clarification and to round out the scope of protection to which Applicant is entitled. Claims 1-12 are canceled.

Claims 1-12 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to provide a sufficient antecedent basis for several of the recited limitations. In response, Applicants have canceled claims 1-12 and submitted new claims which provide an antecedent basis for all limitations. Accordingly, Applicant believes this rejection has been overcome.

Claims 1, 2, 5, 6, 9, and 10 were rejected under 35 U.S.C. § 102(e) as being anticipated by Sharpe III et al. (U.S. Patent No. 6,012,961). Claims 3, 4, 7, 8, 11, and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sharpe. All of the rejected claims have been canceled.

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The present claims are directed to "an editing apparatus for editing a growth model of a pet robot." (Claim 13; Claims 14-16 contain similar limitations) The editing apparatus includes "display means for graphically displaying a growth model edit screen based on the edit data stored in the removable storage means." (Claim 13; Claims 14-16 contain similar limitations) Hence, a significant feature of the present invention is the display for editing of a growth (or behavioral) model for a pet robot.

The Examiner contends that Sharpe discloses an editing apparatus for controlling a behavioral model of a robot device. (Office Action page 3) Although Sharpe does disclose an editing apparatus for programming the action of a robot; these actions do not constitute a behavioral model. As discussed in the specification, the present invention's behavioral model is based on nodes with probabilities for transitioning over arcs between nodes. Moreover, the model simulates emotions and instincts for the robot. (Specification pages 34-35) Hence, Sharpe's actions are not suitably analogous to the behavioral model recited in the present claims.

The Examiner concedes that Sharpe fails to teach visibly displaying a growth model and editing the growth model. However, the Examiner contends Sharpe is capable of displaying any particular programmed model and it would have been a matter of design choice to program the robot of Sharpe to perform any particular model. Applicant contends it is not obvious to incorporate a growth model into any robot and that, in all likelihood, Sharpe's robot lacks the sophisticated processing required to implement a behavioral or growth model. Accordingly, Applicant respectfully requests the Examiner cite a reference which displays a growth model and edits the growth model. In the absence of such a reference, the new claims should be allowed.

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In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No additional fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
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